

To: Chew, Andrew[Chew.Andrew@epa.gov]
From: Don't Waste Arizona
Sent: Thur 12/24/2015 11:08:19 PM
Subject: EPCRA 313 concerns regarding Hickman's Egg Ranches in Tonopah and Arlington, AZ
STOPP et al letter to EPA Oct 2015.doc
STOPP ammonia follow up.doc
Arlington Zoning Change Application(1).pdf
STOPP Tonopah Dust permit SKMBT C36015120211470.pdf

I wanted to make sure that you have received the correspondence to EPA Region 9 regarding our concerns about potential violations of EPCRA Section 313. The October letter discusses the issue better, and the November letter discusses concerns about high ambient air concentrations of ammonia noted three miles from the Hickman's Arlington facility at Arlington Elementary School, which appear to be above a threshold that will harm people and especially children when chronic exposure occurs. Having TRI data would help in understanding the impacts of the ammonia emissions.

For further documentation about the industrial uses at Hickman's Arlington facility, I have attached the facility's own submission to the Maricopa County zoning department. The submission admits to industrial processing and manufacturing.

I have also attached the latest dust permit issued the Hickman's Tonopah facility, which identifies it as commercial/industrial.

DWAZ conducted significant EPCRA Section 313 enforcement, and if we had access to the facilities' financial data, we would send a notice letter. We have enough to send a good faith basis notice, but would not be able to file in federal court because we do not have access to the financial data. In reviewing the issues, we did consult an accountant, who said that clearly the eggs being brought in for the processing into egg products would be placed on an accounting balance sheet as "cost of goods," and that any business that had its cost of goods exceed its sales would be out of business shortly.

I hope this is helpful.

Please feel free to contact me with any questions, and I will continue to search for useful documents and resources for you.

You might find the following link of use:

<https://www.fas.org/sgp/crs/misc/R41622.pdf>

Sincerely,

Stephen Brittle
DWAZ
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